

IN THE HIGH COURT OF FIJI
AT LAUTOKA
[APPELLATE JURISDICTION]

CRIMINAL APPEAL NO. HAA 26 OF 2018
(Magistrates Court Case No. 65 of 2018)

BETWEEN : **ERONI NAMATA**
APPELLANT

AND : **STATE**
RESPONDENT

Counsel : **Ms V Narara for the Appellant**
Mr A Singh for the Respondent

Date of Hearing : **27 June 2018**

Date of Judgment : **27 June 2018**

JUDGMENT

[1] This is an application for an abandonment of appeal.

[2] On 16 April 2018, the appellant was sentenced by the Magistrate's Court at Sigatoka on his own pleas of guilty to the following offences:

Driving a Motor Vehicle whilst there was present in the blood a concentration of alcohol in excess of the zero prescribed limit

\$800.00 fine in default 80 days imprisonment

Breach of bail conditions

\$200.00 fine in default 20 days imprisonment

Breach of suspended sentence

9 months imprisonment

- [3] The appellant had committed the offences in the present case during the operational period of a suspended sentence of 10 months imprisonment imposed in an earlier case.
- [4] On 3 May 2018, the appellant filed an appeal against sentence only. On 25 May 2018, the appeal was fixed for hearing on 25 June 2018. On 23 June 2018, the appellant through his counsel filed a notice of abandonment of appeal. The notice is duly signed by the appellant.
- [5] After hearing the appellant and his counsel, the Court is satisfied that the appellant's decision to abandon his appeal is well informed and competent. The Court is further satisfied that the appeal has no merit.
- [6] The appeal is dismissed.



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Hon. Mr. Justice Daniel Goundar

Solicitors:

Legal Aid Commission for the Appellant

Office of the Director of Public Prosecutions for the Respondent